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## *Facsimile Transmittal*

**DATE:** May 17, 2005

**TO:** USPTO – RCE/AMENDMENT

**FAX :** 703-872-9306

**RE:** Application No: 09/727,240  
Filed: 11/30/00

**FROM:** Kenyon Jenckes

**FAX:** (858)658-2502

**Number of Pages Sent:** 2 (including this transmittal cover sheet)  
**Attached hereto:** Request for Continued Prosecution in (1) page

I hereby certify that this correspondence is sent VIA FACSIMILE to the Commissioner of Patents, ALEXANDRIA, VA 22313, 703-872-9306, on:

5/17/05

(Date of Deposit)

Darla Kasmedo

(Name of the Person Making Deposit)

(Signature)

5/17/05

(Date of Signature)

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PTO/SB/30  
U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Section (b) of 35 U.S.C. § 133, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/727,240
Filing Date	11/30/00
First Named Inventor	Marc S. Phillips
Group Art Unit	2681
Examiner Name	Temicia M. Davis
Attorney Docket Number	990382

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

*NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-described application was filed prior to May 29, 2000, applicants may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Patent Rule, 65 Fed. Reg. 50002 (Aug. 16, 2000); Examiners' Rule, 65 Fed. Reg. 18803 (Mar. 20, 2000), 7233 Off. Gaz. Pat. Off. 67 (Apr. 11, 2000), which examine RCE practice.*

**1. Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 4/21/05
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on
  - iii.  Other
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other

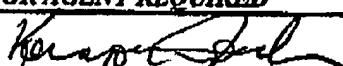
**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b.  Other

**3. Fees** *The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 which the RCE is filed.*

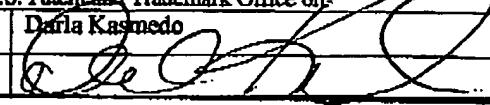
- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 17-0026
  - i.  RCE fee required under 37 C.F.R. § 1.17(e)
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.117)
  - iii.  Other
- b.  Check in the amount of \$ enclosed
- c.  Payment by credit card. (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Date	5/17/05	Signature	
Kenyon Jenckes, Reg. No. 41,873 858-651-8149			

**CERTIFICATE OF MAILING OR TRANSMISSION**

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Name (Print Type)	Darla Kasmedo
Signature	
Date	5/17/05

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